

L.B.F. 3015.1

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

In re: Anslem, Dayshawn Dametrie

Chapter 13

Case No. 23-12424-amc

Debtor(s)

Chapter 13 Plan

Original
 _____ Amended

Date: 09/20/2023

**THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE**

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. **ANYONE WHO WISHES TO OPPOSE ANY PROVISION OF THIS PLAN MUST FILE A WRITTEN OBJECTION** in accordance with Bankruptcy Rule 3015 and Local Rule 3015-4. **This Plan may be confirmed and become binding, unless a written objection is filed.**

**IN ORDER TO RECEIVE A DISTRIBUTION UNDER THE PLAN, YOU
MUST FILE A PROOF OF CLAIM BY THE DEADLINE STATED IN THE
NOTICE OF MEETING OF CREDITORS.**

Part 1: Bankruptcy Rule 3015.1(c) Disclosures

- Plan contains non-standard or additional provisions – see Part 9
- Plan limits the amount of secured claim(s) based on value of collateral – see Part 4
- Plan avoids a security interest or lien – see Part 4 and/or Part 9

Part 2: Plan Payment, Length and Distribution – PARTS 2(c) & 2(e) MUST BE COMPLETED IN EVERY CASE

§ 2(a) Plan payments (For Initial and Amended Plans):

Total Length of Plan: 60 months.

Total Base Amount to be paid to the Chapter 13 Trustee ("Trustee") \$14,900.00

Debtor shall pay the Trustee \$150.00 per month for 1 months and then

Debtor shall pay the Trustee \$250.00 per month for the remaining 59 months;

or

Debtor shall have already paid the Trustee _____ through month number _____ and then shall pay the Trustee _____ per month for the remaining _____ months.

Other changes in the scheduled plan payment are set forth in § 2(d)

§ 2(b) Debtor shall make plan payments to the Trustee from the following sources in addition to future wages (Describe source, amount and date when funds are available, if known):

§ 2(c) Alternative treatment of secured claims:

None. If "None" is checked, the rest of § 2(c) need not be completed.

§ 2(d) Other information that may be important relating to the payment and length of Plan:

§ 2(e) Estimated Distribution:

A. Total Priority Claims (Part 3)	
1. Unpaid attorney's fees	\$ <u>3,475.00</u>
2. Unpaid attorney's costs	\$ <u>0.00</u>
3. Other priority claims (e.g., priority taxes)	\$ <u>0.00</u>
B. Total distribution to cure defaults (§ 4(b))	\$ <u>3,798.00</u>
C. Total distribution on secured claims (§§ 4(c) &(d))	\$ <u>0.00</u>
D. Total distribution on general unsecured claims(Part 5)	\$ <u>4,640.00</u>
Subtotal	\$ <u>11,913.00</u>
E. Estimated Trustee's Commission	\$ <u>2,987.00</u>
F. Base Amount	\$ <u>14,900.00</u>

§2 (f) Allowance of Compensation Pursuant to L.B.R. 2016-3(a)(2)

By checking this box, Debtor's counsel certifies that the information contained in Counsel's Disclosure of Compensation [Form B2030] is accurate, qualifies counsel to receive compensation pursuant to L.B.R. 2016-3(a)(2), and requests this Court approve counsel's compensation in the total amount of \$ 4,725.00, with the Trustee distributing to counsel the amount stated in §2(e)A.1. of the Plan. Confirmation of the plan shall constitute allowance of the requested compensation.

Part 3: Priority Claims

§ 3(a) Except as provided in § 3(b) below, all allowed priority claims will be paid in full unless the creditor agrees otherwise.

Creditor	Claim Number	Type of Priority	Amount to be Paid by Trustee
Cibik Law, P.C.		Attorney Fees	\$4,625.00

§ 3(b) Domestic Support obligations assigned or owed to a governmental unit and paid less than full amount.

None. If "None" is checked, the rest of § 3(b) need not be completed.

Part 4: Secured Claims

§ 4(a) Secured Claims Receiving No Distribution from the Trustee:

None. If "None" is checked, the rest of § 4(a) need not be completed.

Creditor	Claim Number	Secured Property
<input checked="" type="checkbox"/> If checked, the creditor(s) listed below will receive no distribution from the trustee and the parties' rights will be governed by agreement of the parties and applicable nonbankruptcy law. Citadel FCU		2018 Mercedes C300

§ 4(b) Curing default and maintaining payments

None. If "None" is checked, the rest of § 4(b) need not be completed.

The Trustee shall distribute an amount sufficient to pay allowed claims for prepetition arrearages; and, Debtor shall pay directly to creditor monthly obligations falling due after the bankruptcy filing in accordance with the parties' contract.

Creditor	Claim Number	Description of Secured Property and Address, if real property	Amount to be Paid by Trustee
PennyMac Loan Services, LLC (Arrearage)		7661 Fillmore St Philadelphia, PA 19111-2414	\$3,798.00

§ 4(c) Allowed secured claims to be paid in full: based on proof of claim or preconfirmation determination of the amount, extent or validity of the claim

None. If "None" is checked, the rest of § 4(c) need not be completed.

§ 4(d) Allowed secured claims to be paid in full that are excluded from 11 U.S.C. § 506

None. If "None" is checked, the rest of § 4(d) need not be completed.

§ 4(e) Surrender

None. If "None" is checked, the rest of § 4(e) need not be completed.

§ 4(f) Loan Modification

None. If "None" is checked, the rest of § 4(f) need not be completed.

(1) Debtor shall pursue a loan modification directly with _____ or its successor in interest or its current servicer ("Mortgage Lender"), in an effort to bring the loan current and resolve the secured arrearage claim.

(2) During the modification application process, Debtor shall make adequate protection payments directly to Mortgage Lender in the amount of _____ per month, which represents _____ (**describe basis of adequate protection payment**). Debtor shall remit the adequate protection payments directly to the Mortgage Lender.

(3) If the modification is not approved by _____ (date), Debtor shall either (A) file an amended Plan to otherwise provide for the allowed claim of the Mortgage Lender; or (B) Mortgage Lender may seek relief from the automatic stay with regard to the collateral and Debtor will not oppose it.

Part 5: General Unsecured Claims

§ 5(a) Separately classified allowed unsecured non-priority claims

None. If "None" is checked, the rest of § 5(a) need not be completed.

§ 5(b) Timely filed unsecured non-priority claims

(1) Liquidation Test (*check one box*)

- All Debtor(s) property is claimed as exempt.
 Debtor(s) has non-exempt property valued at \$ _____ for purposes of § 1325(a)(4) and plan provides for distribution of \$ _____ to allowed priority and unsecured general creditors.

(2) Funding: § 5(b) claims to be paid as follows (*check one box*)

- Pro rata
 100%
 Other (Describe) _____

Part 6: Executory Contracts & Unexpired Leases

None. If "None" is checked, the rest of § 6 need not be completed.

Creditor	Claim Number	Nature of Contract or Lease	Treatment by Debtor Pursuant to §365(b)
BMW Financial Services		Auto Lease	Lease assumed. Trustee to pay creditor arrears of \$4,640.08 before end of month 17. Debtor to make all payments coming due post-petition directly to creditor.

Part 7: Other Provisions

§ 7(a) General principles applicable to the Plan

(1) Vesting of Property of the Estate (*check one box*)

- Upon confirmation
 Upon discharge

(2) Subject to Bankruptcy Rule 3012 and 11 U.S.C. §1322(a)(4), the amount of a creditor's claim listed in its proof of claim controls over any contrary amounts listed in Parts 3, 4 or 5 of the Plan.

(3) Post-petition contractual payments under § 1322(b)(5) and adequate protection payments under § 1326(a)(1)(B),(C) shall be disbursed to the creditors by the debtor directly. All other disbursements to creditors shall be made by the Trustee.

(4) If Debtor is successful in obtaining a recovery in a personal injury or other litigation in which Debtor is the plaintiff, before the completion of plan payments, any such recovery in excess of any applicable exemption will be paid to the Trustee as a special Plan payment to the extent necessary to pay priority and general unsecured creditors, or as agreed by the Debtor and the Trustee and approved by the court.

§ 7(b) Affirmative duties on holders of claims secured by a security interest in debtor's principal residence

(1) Apply the payments received from the Trustee on the pre-petition arrearage, if any, only to such arrearage.

(2) Apply the post-petition monthly mortgage payments made by the Debtor to the post-petition mortgage obligations as provided for by the terms of the underlying mortgage note.

(3) Treat the pre-petition arrearage as contractually current upon confirmation for the Plan for the sole purpose of precluding the imposition of late payment charges or other default-related fees and services based on the pre-petition default or default(s). Late charges may be assessed on post-petition payments as provided by the terms of the mortgage and note.

(4) If a secured creditor with a security interest in the Debtor's property sent regular statements to the Debtor pre-petition, and the Debtor provides for payments of that claim directly to the creditor in the Plan, the holder of the claims shall resume sending customary monthly statements.

(5) If a secured creditor with a security interest in the Debtor's property provided the Debtor with coupon books for payments prior to the filing of the petition, upon request, the creditor shall forward post-petition coupon book(s) to the Debtor after this case has been filed.

(6) Debtor waives any violation of stay claim arising from the sending of statements and coupon books as set forth above.

§ 7(c) Sale of Real Property

None. If "None" is checked, the rest of § 7(c) need not be completed.

Part 8: Order of Distribution

The order of distribution of Plan payments will be as follows:

Level 1: Trustee Commissions*

Level 2: Domestic Support Obligations

Level 3: Adequate Protection Payments

Level 4: Debtor's attorney's fees

Level 5: Priority claims, pro rata

Level 6: Secured claims, pro rata

Level 7: Specially classified unsecured claims

Level 8: General unsecured claims

Level 9: Untimely filed general unsecured non-priority claims to which debtor has not objected

*Percentage fees payable to the standing trustee will be paid at the rate fixed by the United States Trustee not to exceed ten (10) percent.

Part 9: Non Standard or Additional Plan Provisions

Under Bankruptcy Rule 3015.1(e), Plan provisions set forth below in Part 9 are effective only if the applicable box in Part 1 of this Plan is checked. Nonstandard or additional plan provisions placed elsewhere in the Plan are void.

None. If "None" is checked, the rest of Part 9 need not be completed.

Part 10: Signatures

By signing below, attorney for Debtor(s) or unrepresented Debtor(s) certifies that this Plan contains no nonstandard or additional provisions other than those in Part 9 of the Plan, and that the Debtor(s) are aware of, and consent to the terms of this Plan.

Date: 09/20/2023

/s/ Michael A. Cibik

Michael A. Cibik
Attorney for Debtor(s)

If Debtor(s) are unrepresented, they must sign below.

Date: _____

Dayshawn Dametrie Anslem
Debtor

Date: _____

Joint Debtor

**United States Bankruptcy Court
Eastern District Of Pennsylvania**

In re Anslem, Dayshawn Dametrie

Case No. 23-12424-amc

Debtor(s)

Chapter 13

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the following document(s):

Chapter 13 Plan

was(were) mailed to all persons in interest at the addresses set forth in the exhibit which is attached hereto, electronically or by first class mail, postage prepaid, on 09/20/2023.

Dated: 09/20/2023

/s/ Michael A. Cibik

Michael A. Cibik
Debtor or Debtor's(s') Counsel
Bar Number: 23110
Cibik Law, P.C.
1500 Walnut Street Suite 900
Philadelphia, PA 19102
Phone: (215) 735-1060
Email: mail@cibiklaw.com

Affirm, Inc.
Attn: Bankruptcy Attn: Bankruptcy
30 Isabella St , Floor 4
Pittsburgh, PA 15212

American Heritage Federal Credit Union
Attn: Bankruptcy 2060 Red Lion Road
Philadelphia, PA 19115

AmSher Collection Services
4524 Southlake Parkway Suite 15
Birmingham, AL 35244

Aspire Credit Card
Attn: Bankruptcy
PO Box 105555
Atlanta, GA 30348-5555

Bank of America
Attn: Bankruptcy
4909 Savarese Circle
Tampa, FL 33634

Barclays
Attn: Bankruptcy
PO Box 8801
Wilmington, DE 19899-8801

BMW Financial Services
Attn: Bankruptcy
PO Box 3608
Dublin, OH 43016-0306

Capital One
P.O. Box 30285
Salt Lake City, UT 84130

Capital One/Walmart
Attn: Bankruptcy
P.O. Box 30285
Salt Lake City, UT 84130-0285

CFNA/Credit First Natl Assoc
Attn: Bankruptcy
PO Box 81315
Cleveland, OH 44181-0315

Cibik Law, P.C.
1500 Walnut Street Suite 900
Philadelphia, PA 19102

Citadel FCU
Attn: Bankruptcy 520 Eagleview Blvd
Exton, PA 19341

Debtor Anslem, Dayshawn Dametrie

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Citi Card/Best Buy
Attn: Citicorp Cr Svcs Centralized Bky
PO Box 790040
St Louis, MO 36179-0040

Citibank/The Home Depot
dept St Louis,
Citicorp Credit Svcs/
PO Box 790034
Centralized BkMO63179

City of Philadelphia
Municipal Services Building
1401 John F Kennedy Blvd 5th Floor
Philadelphia, PA 19102-1640

City of Philadelphia
Parking Violation Branch
PO Box 41819
Philadelphia, PA 19101-1819

Comenity Bank/Express
Attn: Bankruptcy
PO Box 182125
Columbus, OH 43218

Comenity Bank/Victoria Secret
Attn: Bankruptcy
PO Box 182125
Columbus, OH 43218

Comenity Bank/Zales
Attn: Bankruptcy
PO Box 182125
Columbus, OH 43218

Comenity/BBBaby
Attn: Bankruptcy
PO Box 182125
Columbus, OH 43218

Comenity/Carter
Attn: Bankruptcy
PO Box 182125
Columbus, OH 43218

Comenity/MPRC
Attn: Bankruptcy
PO Box 182125
Columbus, OH 43218

Continental Finance Company
Attn: Bankruptcy
PO Box 8099
Newark, DE 19714-8099

Credit One Bank
Attn: Bankruptcy Department
PO Box 98873
Las Vegas, NV 89193

Discover Financial
Attn: Bankruptcy
PO Box 3025
New Albany, OH 43054

Dsnb Bloomingdales
Attn: Recovery "Bk"
PO Box 9111
Mason, OH 45040

Fortiva
Attn: Bankruptcy
PO Box 105555
Atlanta, GA 30348

Genesis FS Card Services
Attn: Bankruptcy
PO Box 4477
Beaverton, OR 97076

Goldman Sachs Bank USA
Attn: Bankruptcy
PO Box 70379
Philadelphia, PA 19176

Huntingdon Valley Bank
2617 Huntingdon Valley Pike
Huntingdon Valley, PA 19006

Internal Revenue Service
Centralized Insolvency Operation
PO Box 7346
Philadelphia, PA 19101-7346

Lendmark Financial Services
Attn: Bankruptcy Attn: Bankruptcy
1735 North Brown Rd , Ste 300
Lawrenceville, OH 30043

Macy's/fdsb
Attn: Bankruptcy
9111 Duke Boulevard
Mason, OH 45040

Mariner Finance
Attn: Bankruptcy 8211 Town Center Drive
Nottingham, MD 21236

Mercedes - Benz Financial Services
Attn: Bankruptcy
P.O. Box 685
Roanoke, TX 76262

Nissan Motor Acceptance Corp/Infiniti
Attn: Bankruptcy
PO Box 660360
Dallas, TX 75266-0360

OneMain Financial
PO Box 3251
Evansville, IN 47731-3251

Peco Energy
2301 Market St N 3-1
Philadelphia, PA 19103-1338

Pennsylvania Attorney General
16th Floor, Strawberry Square
Harrisburg, PA 17120

Debtor Anslem, Dayshawn Dametrie

Case number 23-12424-amc

Pennsylvania Department of Revenue
Bankruptcy Division
1 Revenue Pl
Harrisburg, PA 17129-0001

Pennsylvania Office of General Counsel
333 Market St Fl 17
Harrisburg, PA 17101-2210

PennyMac Loan Services, LLC
Po Box 514387
Los Angeles, CA 90051-4387

Petal Card Inc
Attn: Bankruptcy
MSC _ 166931 PO Box 105168
Atlanta, GA 30348

PGW
Legal
800 W. Montgomery Avenue Dept. 4th Floor
Philadelphia, PA 19122

Philadelphia Co Drs
34 S 11th St Rm 304
Philadelphia, PA 19107

Philadelphia Municipal Court
Traffic Division
800 Spring Garden Street
Philadelphia, PA 19123

Philadelphia Parking Authority
Bankruptcy Department
701 Market St
Philadelphia, PA 19106-1538

Sunbit
Attn: Bankruptcy 10880 Wilshire Blv Suite 870
Los Angeles, CA 90024

Sunrise Credit Services, Inc.
Attn: Bankruptcy 260 Airport Plaza
Farmingdale, NY 11735

Syncb/car Care Pep B
Attn: Bankruptcy
P.O. Box 965060
Orlando, FL 32896-5060

Synchrony Bank
Attn: Bankruptcy Dept.
PO Box 965064
Orlando, FL 32896-5064

Synchrony Bank/Amazon
Attn: Bankruptcy
PO Box 965060
Orlando, FL 32896-5060

Synchrony Bank/Care Credit
Attn: Bankruptcy Dept
PO Box 965064
Orlando, FL 32896-5060

Synchrony Bank/Lowes
Attn: Bankruptcy
PO Box 965060
Orlando, FL 32896

Target NB
C/O Financial & Retail Services
Mailstop BT PO Box 9475
Minneapolis, MN 55440

Trumark Financial Credit Union
Attn: Bankruptcy 335 Commerce Dr
Fort Washington, PA 19034

U.S. Attorney, Eastern District of Pa.
615 Chestnut St Ste 1250
Philadelphia, PA 19106-4404

U.S. Bankcorp
Attn: Bankruptcy
800 Nicollet Mall
Minneapolis, MN 55402-7000

U.S. Department of Justice
950 Pennsylvania Ave NW
Washington, DC 20530-0009

Uplift, Inc.
Attn: Bankruptcy
440 N Wolfe Rd
Sunnyvale, CA 94085